

## NON-FINAL AMENDMENT

Serial Number: 09/606,137

Filing Date: June 28, 2000

Title: IMAGING METHOD FOR VISUALIZING IMPLANTED LIVING CELLS

Page 2 of 18

Docket No.: 500.003US1

RECEIVED  
CENTRAL FAX CENTER

FEB 26 2007

IN THE CLAIMS

1 - 4 (CANCELLED)

5. (PREVIOUSLY PRESENTED) A method for indicating viability of transplanted progenitor or stem cells grown in a culture, the method being performed with a medical device that supports at least one sensing function, the method comprising:

non-destructively observing a region of a patient to where progenitor or stem cells grown in a culture cells have been transplanted;

sensing a property within said region of a patient that is indicative of cell viability or inviability of transplanted progenitor or stem cells grown in a culture; and using data from sensing said property within said region to indicate cell viability from a transplant of progenitor or stem cells grown in a culture within the region wherein said cell viability is indicated by a property in cell chemistry resulting from an event selected from the group consisting of cell activity, cell inactivity, cell growth, cell death, specific cell function, specific cell dysfunction, volumetric expansion of cell population, and volumetric decrease of cell population.

6. (PREVIOUSLY PRESENTED) A method for indicating viability of transplanted progenitor or stem cells grown in a culture, the method being performed with a medical device that supports at least one sensing function, the method comprising:

non-destructively observing a region of a patient to where progenitor or stem cells grown in a culture cells have been transplanted;

sensing a property within said region of a patient that is indicative of cell viability or inviability of transplanted progenitor or stem cells grown in a culture; and using data from sensing said property within said region to indicate cell viability from a transplant of progenitor or stem cells grown in a culture within the region, wherein said non-destructively observing comprises magnetic resonance imaging and wherein said cell viability is indicated by a property in cell chemistry resulting from an event selected from

## NON-FINAL AMENDMENT

Serial Number: 09/606,137

Filing Date: June 28, 2000

Title: IMAGING METHOD FOR VISUALIZING IMPLANTED LIVING CELLS

Page 3 of 18

Docket No.: 500.003US1

the group consisting of cell activity, cell inactivity, cell growth, cell death, specific cell function, specific cell dysfunction, volumetric expansion of cell population, and volumetric decrease of cell population.

7. (PREVIOUSLY PRESENTED) A method for indicating viability of transplanted progenitor or stem cells grown in a culture, the method being performed with a medical device that supports at least one sensing function, the method comprising:

non-destructively observing a region of a patient to where progenitor or stem cells grown in a culture cells have been transplanted;

sensing a property within said region of a patient that is indicative of cell viability or inviability of transplanted progenitor or stem cells grown in a culture; and using data from sensing said property within said region to indicate cell viability from a transplant of progenitor or stem cells grown in a culture within the region wherein said property is monitored by observation of at least one parameter selected from the group consisting of local lactate levels, local glucose turnover, local phosphorous high-energy metabolite concentrations, local F-19 labeled metabolites, alterations in tissue sodium, and changes in the conversion rates of O<sub>2</sub> gas to H<sub>2</sub>O water.

8. CANCELLED

9. (PREVIOUSLY PRESENTED) The method of claim 6 wherein said property is monitored by observation of at least one parameter selected from the group consisting of local lactate levels, local glucose turnover, local phosphorous high-energy metabolite concentrations, local F-19 labeled metabolites, alterations in tissue sodium, and changes in the conversion rates of O<sub>2</sub> gas to H<sub>2</sub>O water.

10. CANCELLED

## NON-FINAL AMENDMENT

Serial Number: 09/606,137

Filing Date: June 28, 2000

Title: IMAGING METHOD FOR VISUALIZING IMPLANTED LIVING CELLS

Page 4 of 18

Docket No.: 500.003US1

11. (PREVIOUSLY PRESENTED) The method of claim 5 wherein said property is monitored by at least one technique selected from the group consisting of proton spectroscopy, monitoring of C-13 labeled glucose, monitoring by P-31 MR spectroscopy, monitoring of local F-19 labeled metabolites, monitoring of Na-23 levels, and monitoring of  $^{17}\text{O}_2$  gas conversion to  $\text{H}_2^{17}\text{O}$  water.

12. (ORIGINAL) The method of claim 6 wherein said property is monitored by at least one technique selected from the group consisting of proton spectroscopy, monitoring of C-13 labeled glucose, monitoring by P-31 MR spectroscopy, monitoring of local F-19 labeled metabolites, monitoring of Na-23 levels, and monitoring of  $^{17}\text{O}_2$  gas conversion to  $\text{H}_2^{17}\text{O}$  water.

13. (PREVIOUSLY PRESENTED) The method of claim 5 wherein said medical device includes at least one element selected from the group consisting of a volume coil surrounding the tissue and a local multi-tuned MRI RF coil.

14. (PREVIOUSLY PRESENTED) The method of claim 6 wherein said medical device includes at least one element selected from the group consisting of a volume coil surrounding the tissue and a local multi-tuned MRI RF coil.

15. (ORIGINAL) The method of claim 9 wherein said medical device includes at least one element selected from the group consisting of a volume coil surrounding the tissue and a local multi-tuned MRI RF coil.

16. (ORIGINAL) The method of claim 12 wherein said medical device includes at least one element selected from the group consisting of a volume coil surrounding the tissue

FEB 26 2007

NON-FINAL AMENDMENT

Serial Number: 09/606,137

Filing Date: June 28, 2000

Title: IMAGING METHOD FOR VISUALIZING IMPLANTED LIVING CELLS

Page 5 of 18

Docket No.: 500.003US1

and a local multi-tuned MRI RF coil.

17. (PREVIOUSLY PRESENTED) A method for indicating viability of transplanted progenitor or stem cells grown in a culture, the method being performed with a medical device that supports at least one sensing function, the method comprising:

non-destructively observing a region of a patient to where progenitor or stem cells grown in a culture cells have been transplanted;

sensing a property within said region of a patient that is indicative of cell viability or inviability of transplanted progenitor or stem cells grown in a culture; and using data from sensing said property within said region to indicate cell viability from a transplant of progenitor or stem cells grown in a culture within the region wherein said property comprises blood flow or changes in blood flow as vascular supply is developed.

18. (PREVIOUSLY PRESENTED) The method of claim 17 wherein said non-destructively observing comprises magnetic resonance imaging and said property comprises blood flow or changes in blood flow as vascular supply is developed.

19. (PREVIOUSLY PRESENTED) The method of claim 17 wherein said property is monitored by observation of at least one parameter selected from the group consisting of local lactate levels, local glucose turnover, local phosphorous high-energy metabolite concentrations, local F-19 labeled metabolites, alterations in tissue sodium, and changes in the conversion rates of O<sub>2</sub> gas to H<sub>2</sub>O water said property comprises blood flow or changes in blood flow as vascular supply is developed.

20. (ORIGINAL) The method of claim 17 wherein blood flow or changes in blood flow are measured by observation of at least one material selected from the group consisting of labeled H<sub>2</sub>O water, contrast-agent infusion of T1-shortening agents or T2\*-shortening

## NON-FINAL AMENDMENT

Serial Number: 09/606,137

Filing Date: June 28, 2000

Title: IMAGING METHOD FOR VISUALIZING IMPLANTED LIVING CELLS

Page 6 of 18

Docket No.: 500.003US1

agents, local introduction of hyperpolarized Xenon gas, or optically-active coloring agents.

21. (ORIGINAL) The method of claim 18 wherein blood flow or changes in blood flow are measured by observation of at least one material selected from the group consisting of labeled H<sub>2</sub>O water, contrast-agent infusion of T1-shortening agents or T2\*-shortening agents, local introduction of hyperpolarized Xenon gas, or optically-active coloring agents.

22. (ORIGINAL) The method of claim 19 wherein blood flow or changes in blood flow are measured by observation of at least one material selected from the group consisting of labeled H<sub>2</sub>O water, contrast-agent infusion of T1-shortening agents or T2\*-shortening agents, local introduction of hyperpolarized Xenon gas, or optically-active coloring agents.

23. (PREVIOUSLY PRESENTED) A method for indicating viability of transplanted progenitor or stem cells grown in a culture, the method being performed with a medical device that supports at least one sensing function, the method comprising:

non-destructively observing a region of a patient to where progenitor or stem cells grown in a culture cells have been transplanted;

sensing a property within said region of a patient that is indicative of cell viability or inviability of transplanted progenitor or stem cells grown in a culture; and using data from sensing said property within said region to indicate cell viability from a transplant of progenitor or stem cells grown in a culture within the region wherein said non-destructively observing comprises magnetic resonance imaging and said property comprises anisotropic water diffusion.

## NON-FINAL AMENDMENT

Serial Number: 09/606,137

Filing Date: June 28, 2000

Title: IMAGING METHOD FOR VISUALIZING IMPLANTED LIVING CELLS

Page 7 of 18

Docket No.: 500.003US1

24. (PREVIOUSLY PRESENTED) The method of claim 5 wherein said property comprises the local concentrations of at least one of choline, NAA, GABA, phosphocholine, and creatine.

25. (PREVIOUSLY PRESENTED) The method of claim 6 wherein the property is selected from the group consisting of a) local tissue density and cell populations, b) local electrical activity, c) local oxygenated/deoxygenated hemoglobin and changes in the local T2\* reflecting the alterations in tissue oxygenation, d) changes in the vascular reserve and response to oxygenation stresses, e) tissue fluorescence and bioluminescence, f) tissue fluorescence and bioluminescence, g) electrical impedance, and h) local tissue temperature.

26. (CURRENTLY AMENDED) The method of claim ~~[[1]]~~ 5 wherein the property is selected from the group consisting of a) local tissue density and cell populations, b) local electrical activity, c) local oxygenated/deoxygenated hemoglobin and changes in the local T2\* reflecting the alterations in tissue oxygenation, d) changes in the vascular reserve and response to oxygenation stresses, e) tissue fluorescence and bioluminescence, f) tissue fluorescence and bioluminescence, g) electrical impedance, and h) local tissue temperature.

27. (CANCELLED)

28. (CANCELLED)

29. (PREVIOUSLY PRESENTED) A method for indicating viability of transplanted progenitor or stem cells grown in a culture, said method being performed with a medical device that supports at least one sensing function comprising:  
non-destructively observing a region of a patient to where progenitor or stem cells

## NON-FINAL AMENDMENT

Serial Number: 09/606,137

Filing Date: June 28, 2000

Title: IMAGING METHOD FOR VISUALIZING IMPLANTED LIVING CELLS

Page 8 of 18

Docket No.: 500.003US1

grown in a culture have been transplanted;

sensing a property within said region of a patient that is indicative of cell metabolism;

repeating or continuing said sensing of a property over a period of time in which said property changes; and

using data from sensing changes in said property within said region to indicate cell viability from a transplant of progenitor or stem cells grown in a culture within the region, wherein said data from sensing changes in said property indicates active metabolic function in transplanted cells, and wherein changes in said property are monitored by at least one technique selected from the group consisting of proton spectroscopy, monitoring of C-13 labeled glucose, monitoring by P-31 MR spectroscopy, monitoring of local F-19 labeled metabolites, monitoring of Na-23 levels, and monitoring of  $^{17}\text{O}_2$  gas conversion to  $\text{H}_2^{17}\text{O}$  water.

30 - 53 (CANCELLED)

54. (PREVIOUSLY PRESENTED) The method of claim 5 wherein the sensing of a property within said region of a patient that is indicative of cell viability or inviability of the implanted colony of cells is used to quantitate the cell viability.

55. (PREVIOUSLY PRESENTED) The method of claim 6 wherein the sensing of a property within said region of a patient that is indicative of cell viability or inviability of the implanted colony of cells is used to quantitate the cell viability.

56. (PREVIOUSLY PRESENTED) The method of claim 7 wherein the sensing of a property within said region of a patient that is indicative of cell viability or inviability of the implanted colony of cells is used to quantitate the cell viability.

## NON-FINAL AMENDMENT

Serial Number: 09/606,137

Filing Date: June 28, 2000

Title: IMAGING METHOD FOR VISUALIZING IMPLANTED LIVING CELLS

Page 9 of 18

Docket No.: 500.003US1

57. (PREVIOUSLY PRESENTED) The method of claim 17 wherein the sensing of a property within said region of a patient that is indicative of cell viability or inviability of the implanted colony of cells is used to quantitate the cell viability.

58. (PREVIOUSLY PRESENTED) The method of claim 19 wherein the sensing of a property within said region of a patient that is indicative of cell viability or inviability of the implanted colony of cells is used to quantitate the cell viability.

59. (PREVIOUSLY PRESENTED) A method for indicating viability of transplanted progenitor or stem cells, the method being performed with a medical device that supports at least one sensing function, the method comprising:

non-destructively observing a region of a patient to where progenitor or stem cells have been transplanted;

sensing a property within said region of a patient that is indicative of cell viability or inviability of transplanted progenitor or stem cells; and

using data from sensing said property within said region to indicate cell viability from a transplant of progenitor or stem cells within the region wherein said cell viability is indicated by a property in cell chemistry resulting from an event selected from the group consisting of cell activity, cell inactivity, cell growth, cell death, specific cell function, specific cell dysfunction, volumetric expansion of cell population, and volumetric decrease of cell population.